

PETITIONS FOR SPECIAL HEARING, * BEFORE THE
SPECIAL EXCEPTION & ZONING VARIANCE * ZONING COMMISSIONER
18411 Gunpowder Road, 400 ft. +/- *
S of c/y Compass Road * OF BALTIMORE COUNTY
18411 Gunpowder Road *
5th Election District * Case No. 94-229-SPMHA
3rd Councilmanic District *
Howard H. German, III, et ux *
Petitioners *

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing, Special Exception and Zoning Variance for the property located at 18411 Gunpowder Road in Hampstead. The Petition is filed by Howard H. German III and Susan L. German, his wife, property owners. As to the Petition for Special Exception, relief is requested, pursuant to Section 1A01.2.C.15 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a residential art salon in an R.C.2 zone. The Petition for Special Hearing requests similar relief to allow the existing use, which employs the property owner and three others, Monday thru Friday, 7:00 A.M. to 5:00 P.M., to create hand carved signs and graphics. Within the Petition for Zoning Variance, relief is requested from Section 413.1.A of the B.C.Z.R. to allow a freestanding sign with a total area of 12 sq. ft. and 10 ft. in height, in lieu of the required 1 sq. ft. maximum. The subject property and relief requested is more particularly shown on Petitioners' Exhibit No. 1, the site plan to accompany the Petitions.

Appearing at the requisite public hearing held for this case was Howard H. German III, property owner and proprietor of Signs of Our Times, the business conducted on site. Mr. German was unrepresented by counsel. Moreover, there were no other interested persons or Protestants present.

Uncontradicted testimony and evidence offered was that the subject site is approximately 4 acres in area and is zoned R.C.2. As noted above, the

property is located near Hampstead, in a rural area of Baltimore County. Access to the site is by Gunpowder Road which connects to a lengthy driveway which leads to the improvements in the central portion of the property. Mr. and Mrs. German make their home on the subject site, in an aluminum siding rancher which is located adjacent to the driveway. Several other outbuildings exist adjacent to the rancher including several sheds in which much of the business activity is conducted.

Mr. German presented a rather colorful personal history in describing his business. Apparently, he was, at one time, engaged in the printing business and owned a printing company in Timonium. However, tiring of the mundane routine which accompanied operating his printing business, he sold his printing company and started the subject business approximately 10 years ago. As noted above, the business is known as Signs of Our Times.

The business produces hand carved and originally created signs. A brochure depicting the type of work was offered into evidence within the case file. Indeed the work produced by the small business is both exquisite and original. Many of the signs produced are hand carved and made of wood, stone and similar materials. The customers include businesses, schools, and commercial institutions. Even the State and other political subdivisions have had signs produced by the Petitioner. Mr. German rightfully describes himself as a craftsman who is preserving a skill and trade which is vanishing from the American workplace. In an age of mass production and marketing, his original crafts and work product are refreshing. It is clear that Baltimore County is fortunate that an individual dedicated to such an endeavor is located within its borders.

As to the operation, itself, it occurs within the property on which Mr. German makes his home. The Petitioner indicates that the business original-

ly operated out of the rancher dwelling located on the site. However, when the dust, caused by woodcarving, aggravated Mrs. German's sinuses, much of the work was relocated to several outbuildings on the property. However, no doubt, much of the administrative work continues to take place within the rancher. As to hours of operation, the business is open 5 days a week (Monday thru Friday 7:00 A.M. to 5:00 P.M.). Mr. German employs three individuals on site whom he describes as his apprentices. These young men are all learning the trade of hand carving the sign products. Moreover, as evidenced by the lack of Protestants at the hearing and letters offered in support by his neighbors, the business does not adversely affect the surrounding locale. Among the letters received was one indicating that the business is an asset to the community and does not cause any detrimental effect in any manner. There is no traffic, significant noise or pollution caused by the operation of the business.

As to the Petition for Special Exception, Section 1A01.2.C.15 allows a residential art salon by special exception in an R.C.2 zone. Residential art salons are defined in the B.C.Z.R. as "A portion of a dwelling unit used for the exhibition and sale of original works of art." This Zoning Commissioner has given a broad sweep to that definition. In fact, in an earlier case, I held that an establishment more commonly referred to as a "tattoo parlor" might be considered an art salon. In considering the case before me, I am persuaded that the definition also applies to the subject business. The signs produced by Mr. German and his company are clearly original works of art. The term "art" goes well beyond that produced by a brush and easel. The skill and talent, employed by Mr. German and his associates, is equal to that practiced by any painter. Moreover, the items produced by Mr. German are clearly one of a kind. Thus, there is no doubt that the subject

business falls within the definition of a residential art salon in that it produces original works of art.

The Office of Planning and Zoning, within their Zoning Plans Advisory Committee comment, voices support for the business. They agree that no detrimental effect is caused by the operation of this business. They do, however, note that section of the definition which requires that the salon be conducted within a portion of a dwelling unit. In this instance, I am persuaded that Mr. German has met the spirit and intent of that section. Clearly, many of the administrative functions of the business continue to be performed within the dwelling unit. Bookkeeping, marketing, etc., no doubt, are practiced in the dwelling unit. Moreover, the smaller outbuildings where much of the labor is performed are accessory structures which are clearly incidental to the dwelling unit. Thus, I find that the subject site is, indeed, a residential art salon.

Having reached such a conclusion, consideration is next given as to whether the request complies with the standards enunciated in Section 502.1 of the B.C.Z.R. Therein, it is provided that any special exception use can only be permitted if same satisfies the requirements set forth therein. Essentially, the Petitioner must prove that the proposed use will not be detrimental to the health, safety and general welfare of the locale. Specific standards as to traffic, adequate provisions for light and air, etc. are set forth. In this case, it is clear that the use satisfies these tests. Not only is the use not detrimental to the health, safety and general welfare of the locale, it is an asset to its environs and Baltimore County as a whole. Thus, the Petition for Special Exception should and will be granted. Likewise, for identical reasons, the Petition for Special Hearing shall be approved.

ORDER RECEIVED FOR FILING
Date 1/12/94
By [Signature]

ORDER RECEIVED FOR FILING
Date 1/12/94
By [Signature]

ORDER RECEIVED FOR FILING
Date 1/12/94
By [Signature]

ORDER RECEIVED FOR FILING
Date 1/12/94
By [Signature]

As to the variance request, same relates to the existing signage. As shown on a photograph in the file, the Petitioner has a small sign identifying the business adjacent to Gunpowder Road. The sign was produced by Mr. German and shows the high quality of product manufactured by him. A smaller sign would be ineffective in identifying the business. Clearly, the proposed relief requested herein complies with the requirements of Section 307.1 of the B.C.Z.R. as it relates to variances. Strict adherence to the signage regulation requirements would cause the Petitioner a practical difficulty. Moreover, a granting of the variance will not be detrimental to the surrounding community and will be within the spirit and intent of the regulation. For all of these reasons, the variance should, likewise, be granted.

Having disposed of the zoning petitions, several additional comments are in order. Clearly, the existing hours of operation are appropriate. Mr. German testified that his business is conducted five days a week from 7:00 A.M. to 5:00 P.M. There is no indication that these hours of operation are unreasonable or cause detriment to the surrounding locale. Thus, they shall be adopted as a restriction in this Order. Moreover, the business shall be limited to Mr. German, his wife, and three employees. Imposing such a limitation will prevent unreasonable expansion of the business on this site. Identifying the specific area of the property as encompassed by the special exception, as requested by the Office of Planning and Zoning, is difficult. I decline to do so. In lieu thereof, I shall permit this business to be conducted on site for so long as Mr. German is the proprietor of the business. Within his testimony, he indicated that eventually his apprentices may take over this business. At that time, the business might be located elsewhere or may continue to be operated from the present location. If the latter scenario is the case, a review of the operation by the Zoning

Commissioner at that time would be appropriate to ensure continued compatibility with the neighborhood. Thus, the relief requested herein is personal to Mr. German for so long as he wishes to operate this business at this location.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

IT IS THEREFORE ORDERED, by the Zoning Commissioner for Baltimore County, this 12th day of January 1994, that, pursuant to the Petition for Special Exception, approval to permit a residential art salon under Section 1A01.2.C.15 of the B.C.Z.R., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing permission to allow the existing use which employs the property owner and three others, Monday thru Friday, 7:00 A.M. to 5:00 P.M. to create hand carved signs and graphics, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance from Section 413.1.A of the B.C.Z.R. to allow a freestanding sign with a total area of 12 sq. ft., and 10 ft. in height, in lieu of the required 1 sq. ft. maximum, be and is hereby GRANTED, subject, however to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The hours of operation shall be conducted five days a week from 7:00 A.M. to 5:00 P.M., Monday thru Friday.

3. The business shall be conducted on the subject property for so long as Mr. German is the proprietor of the business. The relief requested herein is personal to the Petitioners for so long as they wish to operate this business at this location. Upon Mr. German's disassociation with the business, occasioned by his death or the sale or transfer of the business operation, a Petition for Special Hearing shall be filed by the successor/operators of the business, to ensure continued compatibility at this location.

LES:mmm

[Signature]
LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

ORDER RECEIVED FOR FILING
Date 1/12/94
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 11, 1994

Mr. and Mrs. Howard H. German III
18411 Gunpowder Road
Hampstead, Maryland 21074

RE: Petitions for Special Exception, Special Hearing and Zoning Variance
Case No. 94-229-SPMHA
Howard H. German, III, et ux, Petitioners

Dear Mr. and Mrs. German:

Enclosed please find the decision rendered on the above captioned case. The Petitions for Special Exception, Special Hearing and Zoning Variance have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

[Signature]
LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
etx.

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 18411 Gunpowder Rd
which is presently zoned RC-2

94-229-SPHXA

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property, hereby petition for a Variance from Section 413.1.A To permit a free standing sign with a total area of 12 square feet and 10 feet high in lieu of the required 1 (one) square

foot.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty)

the 1 sq. ft. of sign currently allowed is insufficient in size to display the name Signed Cur Times.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchase/Lessor

Legal Owner(s)

Signature

Address

City

State

Zip Code

Attorney for Petitioner

Signature

Address

City

State

Zip Code

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following date

Next Two Months

ALL OTHER

REVIEWED BY: R.T. DATE: 12-3-93

ITEM # 229

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 18411 Gunpowder Rd
which is presently zoned RC-2

94-229-SPHXA

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

the existence of a professional art studio. This studio consists of four persons who assemble, draw, paint, and sculpt in the pursuit of the creation of art and graphics. We work in stone and wood, and our clientele consists of residents, medical & commercial businesses and the State of Maryland. Our studio has been commissioned to do a special carving for the Md. County Market on I-95.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchase/Lessor

Legal Owner(s)

Signature

Address

City

State

Zip Code

Attorney for Petitioner

Signature

Address

City

State

Zip Code

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following date

Next Two Months

ALL OTHER

REVIEWED BY: R.T. DATE: 12-3-93

ITEM # 229

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 18411 Gunpowder Rd
which is presently zoned RC-2

94-229-SPHXA

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

STONE AND WOOD CARVING AND SCULPTURES IN TWO OUTBUILDINGS ON MY FARM. I originally worked in my home, but the dust generated in wood carving irritated my wife's sinus - mine also, but I was doing the carving & loving it!! As a compromise of Mrs. German, I moved my carving studio & office out of her house and into two existing outbuildings. I am the resident agent.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchase/Lessor

Legal Owner(s)

Signature

Address

City

State

Zip Code

Attorney for Petitioner

Signature

Address

City

State

Zip Code

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following date

Next Two Months

ALL OTHER

REVIEWED BY: R.T. DATE: 12-3-93

ITEM # 229

94-229-SPHXA

BPR, INCORPORATED
359 Manchester Road
Westminster, Maryland 21157
(410)876-0333 or (410)857-9030
November 18, 1993
BPR Job Number: 93-001-355

DESCRIPTION

DESCRIPTION OF 4.000 ACRES OF THE HOWARD H. GERMAN PROPERTY, LYING ON THE EAST SIDE OF GUNPOWDER ROAD, SITUATED IN THE FIFTH (5TH) ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning for the same at a point on the Eastern Right-of-Way Line of Gunpowder Road, said beginning point also being the Southernmost corner of Lot Number 2 as shown and laid out on a subdivision plat of the "Plat of Howard H. German Property" recorded among the Land Records of Baltimore County in Plat Book E.H.K., Jr. 49, Folio 150; thence, leaving the place of beginning and running with the Eastern Right-of-Way Line of said Gunpowder Road, the three (3) following courses, and also running with and binding on the outline of Lot Number 2 as shown on said subdivision plat of "Plat of Howard H. German Property",

- 1.) North 18 degrees 16 minutes 35 seconds West, 149.89 feet to a point; thence,
- 2.) by a curve to the left, Northwesterly, 149.91 feet, said curve having a radius of 1,741.71 feet and a chord bearing and distance of North 20 degrees 44 minutes 31 seconds West, 149.86 feet to a point; thence,
- 3.) North 23 degrees 12 minutes 28 seconds West, 120.22 feet to a point; thence, leaving the Eastern Right-of-Way Line of said Gunpowder Road and continuing on the outline of said Lot 2, the five following courses,
- 4.) North 71 degrees 48 minutes 38 seconds East, 300.33 feet to a point; thence,

ITEM # 229

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 5A Date of Posting: 12/1/93

Posted for: Special Hearing, Exception & Variance

Petitioner: Howard H. German III & Susan L. German

Location of property: 18411 Gunpowder Rd., NE 1/4, 40' S. Gunpowder Rd.

Location of signs: Along the driveway, 22' x 22' x 22' x 22'

Remarks:

Posted by: M. Kelly Date of return: 12/3/93

Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/1/93

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/1/93

THE JEFFERSONIAN,

A. Henrichsen
LEGAL AD - TOWSON

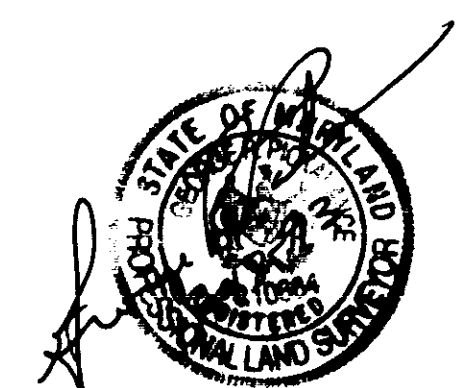
RECEIVED
JAN 5 1994
ZONING COMMISSIONER

Page Two
Howard H. German Property
November 18, 1993
BPR Job No.: 93-001-355

- 5.) South 34 degrees 04 minutes 40 seconds East, 218.01 feet to a point; thence,
- 6.) North 71 degrees 48 minutes 38 seconds East, 166.84 feet to a point; thence,
- 7.) South 18 degrees 11 minutes 22 seconds East, 209.68 feet to a point; thence,
- 8.) South 71 degrees 48 minutes 38 seconds West, 509.43 feet to the place of beginning.

Containing: 4.0000 Acres more or less.

Being Lot 2 as shown and laid out on a subdivision plat of "Plat of Howard H. German Property", recorded among the Land Records of Baltimore County in Plat Book E.H.K., Jr. 49, Folio 150.



ITEM # 229

Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-4186
Number: 229
R.T.

Date: DEC. 3, 1993
#18411 GUNPOWDER RD

070 - VAR, SPX & SPH - \$ 650.00
080 - 3 SIGNS - \$ 105.00
TOTAL - \$ 755.00

SPANDEDOTTHCEN
B-001-0000-03-93
B-001-0000-03-93

Printed on Recycled Paper

111 West Chesapeake Avenue
Towson, MD 21204
(410) 887-3355

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:
Item No.: 229
Petitioner: Howard H. German III
Location: 18411 Gunpowder Rd
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Howard H. German III
ADDRESS: 18411 Gunpowder Rd
Hampstead, MD 21074
PHONE NUMBER: 410 239-2565

AJ:ggs
(Revised 04/09/93)

TO: PUBLISHER PUBLISHING COMPANY
December 16, 1993 Issue - Jeffersonian

Please forward billing to:

Howard H. German, III
18411 Gunpowder Road
Hampstead, Maryland 21074
410-239-2565

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-229-SPDKA (Item 229)

18411 Gunpowder Road
NE/S Gunpowder Road, 400' +/- S of c/1 Compass Road
5th Election District - 3rd Councilmanic
Petitioner(s): Howard H. German, III and Susan L. German
HEARING: THURSDAY, JANUARY 6, 1994 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to approve the existence of a professional art studio.
Special Exception for stone and wood carvers and sculptures in two out buildings on my farm.
Variance to permit a free-standing sign with a total area of 12 square feet and 10 feet high in lieu of the required 1 square foot.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DECEMBER 13, 1993

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-229-SPDKA (Item 229)

18411 Gunpowder Road
NE/S Gunpowder Road, 400' +/- S of c/1 Compass Road
5th Election District - 3rd Councilmanic
Petitioner(s): Howard H. German, III and Susan L. German
HEARING: THURSDAY, JANUARY 6, 1994 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to approve the existence of a professional art studio.
Special Exception for stone and wood carvers and sculptures in two out buildings on my farm.
Variance to permit a free-standing sign with a total area of 12 square feet and 10 feet high in lieu of the required 1 square foot.

Carl Jablon

Arnold Jablon
Director

cc: Howard and Susan German

NOTES: (1) ZONING SIGN A POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soy-based Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 14, 1993

Mr. and Mrs. Howard H. German, III
18411 Gunpowder Road
Hampstead, Maryland 21074

RE: Case No. 94-229-SPDKA, Item No. 229
Petitioner: Howard H. German, III, et ux
Petitions for Variance, Special Exception, and Special Hearing

Dear Mr. and Mrs. German:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, my comment that is not informative will be placed in the hearing file. This petition was accepted for filing on December 3, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has indicated a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Printed with Soy-based Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hay Kacull
Apt. 204

11/16/93

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 94-229-SPDKA

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for *David M. Langer, Acting Chief*
John Centestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street - Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: December 15, 1993

SUBJECT: 18411 Gunpowder Road

INFORMATION:

Item Number: 229

Petitioner: German Property

Property Size:

Zoning: RC 2

Requested Action:

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information provided and a site visit, staff offers the following comment:

The subject site is improved with a single-family detached dwelling and accessory structures that are used as part of an art and graphics business. The applicant's property is located in a rural residential area which was developed with modest single-family detached dwellings. The property in its current state of improvement is not incompatible with the residential and agricultural uses in the immediate vicinity, and the existing business does not appear to be detrimental to adjacent properties.

In order to further analyze the subject request, staff reviewed pertinent sections of the Baltimore County Zoning Regulations pertaining to residential art salons. While it is clear that residential art salons are permitted by special exception in a R.C. 2 zone, an apparent inconsistency exists in the regulations regarding whether a studio needs to be located within a dwelling unit. The B.C.R.R. in Section 101-Definitions (residential art salon) states, in part, the following: "A portion of a dwelling unit used for the exhibition and sale of original works of art." This language implies such a use could not be located in an accessory structure. However, Section 402C.1 of the B.C.Z.R. indicates, "A residential art salon may be allowed by special exception, in [a] R.C. 2, R.C. 5, D.R. 1 or D.R. 2 zone only outside the Urban-Rural Demarcation Line and only on a

lot no smaller than one acre; in a D.R. 16 zone, a residential art salon is allowable only in a building originally constructed as a one-family dwelling..." It is unclear whether or not the restriction to a single-family dwelling applies only in a D.R. 16 zone. Therefore, it appears this issue will be subject to an interpretation by the Zoning Commissioner.

In the instant case, staff does not believe that permitting the use to take place in accessory structures would necessarily have a negative impact. Staff supports the applicant's request, however, we recommend the following conditions be attached:

- The area of the special exception should be more closely delimited on the plat accompanying the petition. An area delineating an envelope immediately corresponding with the access drive, dwelling, and accessory structures should be indicated on the plan. The purpose of this recommendation is to discourage the possibility of future expansion.
- The number of employees should be restricted to be consistent with the current size of the work force. This would also deter future expansion.
- The applicant should meet with the community planning division of the Office of Planning and Zoning to discuss landscape treatment of the south side of the property in order to buffer the use from an adjacent residence.
- The days of operation should be restricted to Monday through Friday, and staff recommends the Zoning Commissioner determine appropriate hours of operation.

Prepared by: *Jeffrey M. Langer*

Division Chief: *Carol Lerner*

PK/JL:lw

Baltimore County Government
Department of Permits and Licenses



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3610

DECEMBER 16, 1993

Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

DECEMBER 13, 1993

Property Owner: BALTIMORE ASSOCIATION OF RETARDED CITIZENS
Location: 47215 YORK ROAD
Item No.: +221 (JCM)

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

Property Owner: LUTHERVILLE VOLUNTEER FIRE COMPANY, INC.
Location: #1601 BELLONA AVENUE
Item No.: +225 (JCM)

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

Property Owner: C.E. MCWILLIAMS, JR. & NELLIE MCWILLIAMS
Location: #11904 REISTERSTOWN ROAD
Item No.: +230 (JLL)
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

Property Owner: BOURQUIN L.L. C.
Location: #7901 BELAIR ROAD
Item No.: +231 (RT)
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

Property Owner: HOWARD H. GERMAN, III & SUSAN L. GERMAN
Location: #18411 GUNPOWDER ROAD
Item No.: +229 (RT)

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Property Owner: NORBERT J. RICHARDSON & HONOR E. RICHARDSON
Location: #6400-02 WINDSOR HILL ROAD AND #2104, #2106
Item No.: +224 (JCM)

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Gentlemen:

Printed with Soy-based Ink
on Recycled Paper



Zoning
Enforcement

Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3610

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Larry E. Schmidt
Zoning Commissioner

DATE: December 15, 1993

FROM: James H. Thompson - DT
Zoning Enforcement Coordinator

SUBJECT: ITEM NO.: 229
PETITIONER: Howard H. German, III, et ux

VIOLATION CASE NO.: C-93-2779

LOCATION OF VIOLATION: 18411 Gunpowder Road
Hampstead, Maryland 21074-2907
5th Election District


DEFENDANTS: Howard H. and Susan L. German, III
18411 Gunpowder Road
Hampstead, Maryland 21074-2907

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME ADDRESS

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

JHT/DT/hck



Signs Of Our Times

94-229-SPHXA

18 AUG 1993

BALTIMORE COUNTY GOVERNMENT
OFFICE OF ZONING ADMINISTRATION
AND DEVELOPMENT MANAGEMENT
111 WEST CHESAPEAKE AVENUE
TOWSON, MD. 21204

ATTN: DONNA THOMPSON

REF: CASE NO. C-93-2779
18411 GUNPOWDER ROAD
5TH ELECTION DISTRICT

DEAR MS. THOMPSON:

UPON RECEIVING YOUR LETTER AND REGULATIONS CONCERNING MY CASE, I WOULD LIKE TO REQUEST A SPECIAL HEARING TO RE-CATEGORIZE THE ZONING OF 18411 GUNPOWDER ROAD AS FOLLOWS:


- 1) ALLOW US TO OPERATE AS A PROFESSIONAL WHICH PERMITS ONE NON-RESIDENT PROFESSIONAL ASSOCIATE AND TWO OTHER NON-RESIDENT EMPLOYEES.
- 2) TO BE GRANTED A SPECIAL EXCEPTION TO DO OUR DUSTY ARTWORK IN AN ACCESSORY BUILDING.

IF WE CAN ADDRESS THREE ISSUES AT THIS HEARING WE WOULD ALSO LIKE TO APPLY FOR A VARIANCE FOR A LARGER THAN 1 SQUARE FOOT SIGN.

VERY TRULY YOURS,
Howard German
HOWARD GERMAN

ITEM # 229

18411 Gunpowder Road Hampstead, Maryland 21074 (410) 239-2565 FAX 239-3819



Signs Of Our Times

94-229-SPHXA

18411 Gunpowder Road Hampstead, Maryland 21074

29 SEPTEMBER 1993

REF: PETITION FOR ZONING VARIANCE

DEAR NEIGHBOR:

WE ARE IN THE MIDST OF APPLYING FOR PROFESSIONAL ART STUDIO STATUS WITH BALTIMORE COUNTY ZONING.

CURRENTLY, THREE FELLOWS JOIN ME AT MY PLACE EACH DAY TO CREATE THE ARTWORK, CARVINGS AND SIGNS THAT WE MAKE TO EARN A LIVING. THAT WON'T CHANGE. THIS PROFESSIONAL ART STUDIO STATUS LIMITS OUR PARTICIPANTS TO FOUR. NO THINGS GOING TO CHANGE EXCEPT THAT WE'LL BE OFFICIALLY AUTHORIZED TO DO WHAT WE DO WHERE WE DO IT.

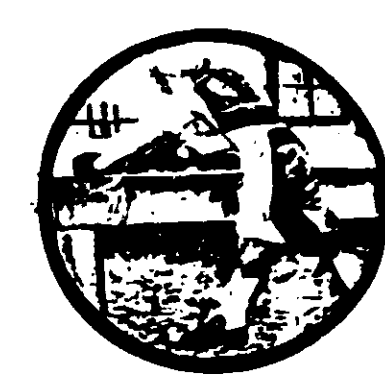
PLEASE BE ASSURED THAT WE'LL KEEP OUR OCCUPATIONAL ENDEAVORS AS LOW-KEY AND QUIET AS WE ALWAYS HAVE. WE WILL ALSO REMAIN AS KEENLY AWARE OF THE ENVIRONMENT AS WE ALWAYS HAVE BEEN. OUR NEIGHBORS ARE ESPECIALLY WELCOME TO VISIT US AND SEE FOR THEMSELVES THAT ALL THE ABOVE IS TRUE.

PLEASE SIGNIFY BELOW, WITH YOUR SIGNATURE, IF YOU HAVE NO OBJECTIONS TO KEEPING SIGNS OF OUR TIMES AS A NEIGHBOR.

Vincent Sklarowicz

HOWARD GERMAN

If you guys wouldn't have a problem — maybe you could sign this & put it in my mailbox next time you pass. Thanks a bunch! Howard



Signs Of Our Times

94-229-SPHXA

18411 Gunpowder Road Hampstead, Maryland 21074

29 SEPTEMBER 1993

REF: PETITION FOR ZONING VARIANCE

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HOWARD GERMAN

*To whom it may concern,
Howard German's establishment has existed unobtrusively in our community for many years. The only time one hears of Mr. German's art is in the high regard for his work. We are pleased to have him as our neighbor. Mrs. Mrs. Paul W. Cross*

94-229-SPHXA

<i>John W. H. H.</i>	18405 Gunpowder Rd.
<i>Paul W. H.</i>	18407 Gunpowder Rd.
<i>Paul W. H.</i>	18418 GUNPOWDER RD
<i>Paul W. H.</i>	18407 Gunpowder Rd.
<i>John W. H.</i>	18573 Gunpowder Rd.
<i>John W. H.</i>	18426 Gunpowder Rd.
<i>John W. H.</i>	18408 Gunpowder Rd.
<i>John W. H.</i>	18414 Gunpowder Rd.
<i>John W. H.</i>	18412 Gunpowder Rd.

*Thompson
names
all within
1/4 mile
there's no one
to the east*

BPR INC.

358 MANCHESTER ROAD
WESTMINSTER, MARYLAND 21157
301-603-3333, 857-9030

94-229-SPHXA

① SUBJECT SITE

VICINITY MAP

ELEVATION NOT TO SCALE

400' FROM E. OF COMPTON RD.

② 4.0000 AC.

SEE "INSET"

AREA WAY

INSET - 1:150'

LOCATION SURVEY LOT 2

RAY OF EX. ZONING - R.C.2

HOWARD H. GERMAN PROPERTY

REC. IN. P.B. 42, PAGE 150

5TH ELECTION DISTRICT, CD-3

BALTIMORE COUNTY, MD.

SCALE 100 ft. = 1 inch

Revisions and Updates

18411 GUNPOWDER ROAD

91-010-000

94-229-SPHXA

ITEM # 229

R.C. 2

UNPOWDER

VEHICLES 1+2 LIVE ON THE FARM. 7AM M-F #1 LEAVES + 85 3+4, 5 ARRIVE (EXCEPT TUES. 8 THURS WHEN #4 IS AT COLLEGE) M-F - WHEN 5:00 GATES, 3+4, 5 GO HOME TILL THE NEXT BUSINESS DAY.

94-229-SPHXA

The 2 of the 3 cases with the (old) was a 100%

is how the...
Looking for...
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1/19 - HALLAM...
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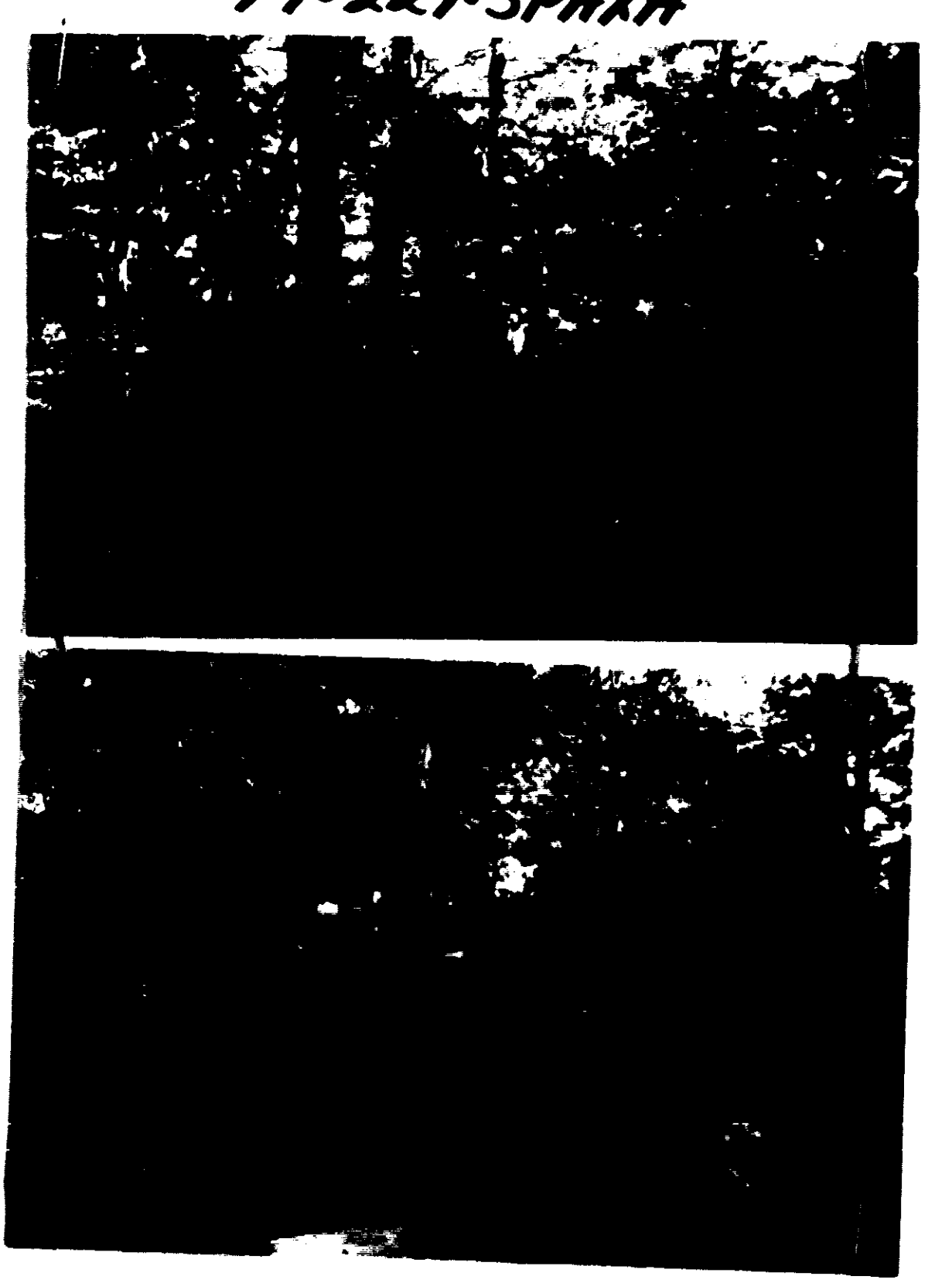
Signs Of Our Times

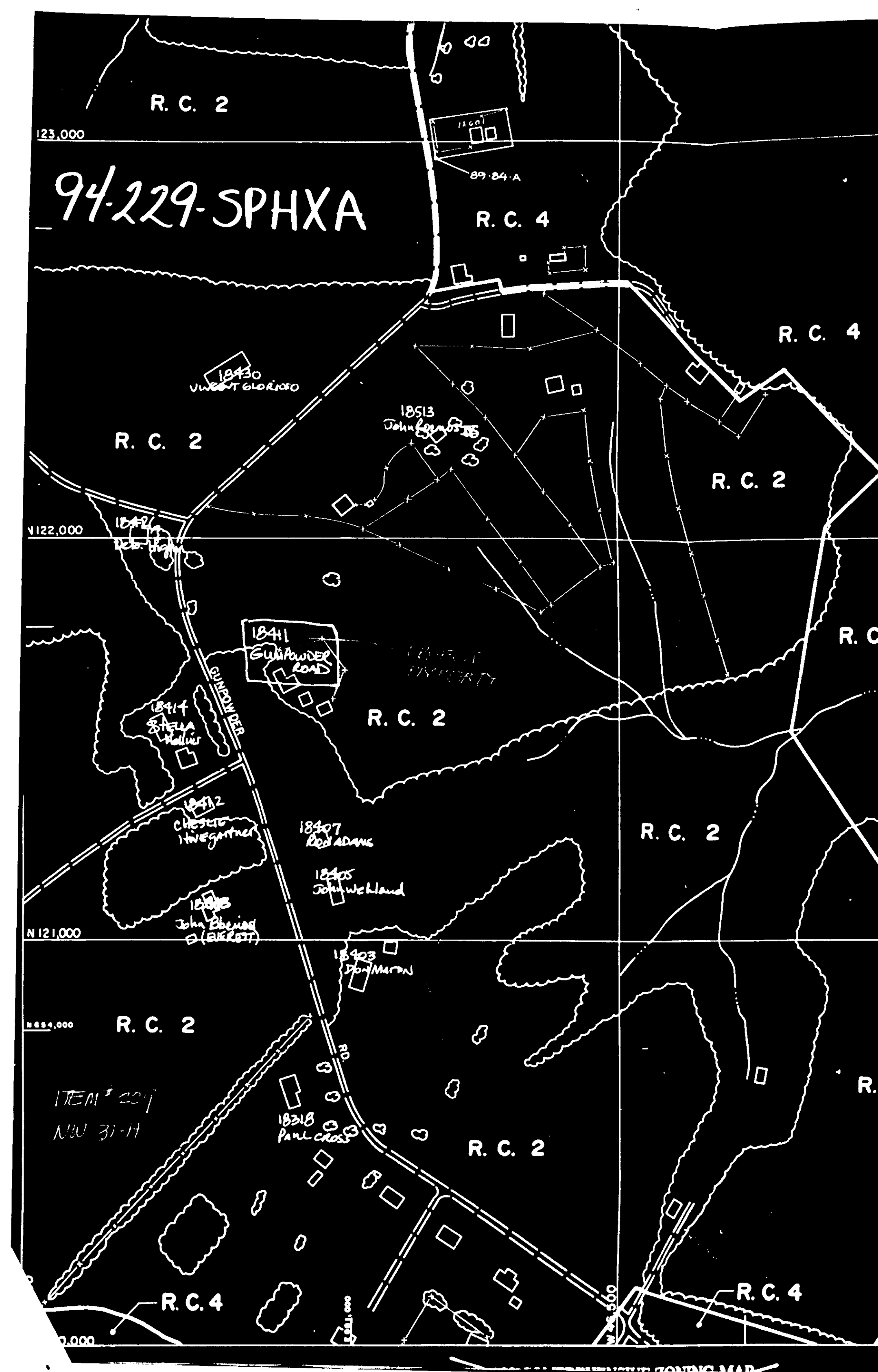
(410) 239-2565
FAX 239-3819

HOWARD GERMAN

18411 Gunpowder Road
Hampstead, Maryland 21074

94-229-SPHXA





Signs Of Our Fall

Our manufacturing facilities utilize state-of-the-art technology. Careful planning and production technologies using computerized systems result in precision and accuracy in a timely and cost effective manner. We successfully use every medium available to the sign industry including: wood, metal, stone, fiberglass, neon, and acrylics. Expert finishing, assembly, and installation are the final touches to insure the quality and effectiveness of your signage program.

[illegible]